

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

UNITED STATES OF AMERICA )  
v. ) No. 2:18-CR-017  
LASHAWN JOHNSON )

## **MEMORANDUM AND ORDER**

The defendant has filed two motions to suppress his confession. [Docs. 981, 1081]. The United States has responded in opposition to the motions. [Doc. 1190].

United States Magistrate Judge Debra C. Poplin conducted an evidentiary hearing on September 23, 2019. Now before the court is the magistrate judge's October 23, 2019 report and recommendation ("R&R"), recommending that the defendant's motions be denied in their entirety. [Doc. 1311].

A district court is both statutorily and constitutionally required to conduct a *de novo* review of a magistrate judge's report and recommendation. *See United States v. Shami*, 754 F.2d 670, 672 (6th Cir. 1985). However, it is necessary only to review "those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b). The district court need not provide *de novo* review where objections to a report and recommendation are frivolous, conclusive, or general. *See Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986).

Objections to the R&R were due on October 29, 2019. [Doc. 1312]. No objections have been filed.<sup>1</sup>

The undersigned has nonetheless thoroughly considered the R&R, the defendant's motions, the parties' briefing, and the pertinent case law. The court has also carefully reviewed the transcript of the September 23 evidentiary hearing, along with the exhibits introduced at that hearing.

Finding itself in complete agreement with the magistrate judge, the court **ADOPTS** the findings of fact and conclusions of law set out in the report and recommendation [doc. 1311]. It is **ORDERED** that the defendant's motions to suppress [docs. 981, 1081] are **DENIED**.

**IT IS SO ORDERED.**

ENTER:

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s/ Leon Jordan  
United States District Judge

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<sup>1</sup> The parties filed a plea agreement on October 28, 2019, and the defendant is scheduled for a change of plea hearing on November 5, 2019.